

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Wallace E. FLEMING**  
Serial No.: **10/599,316**  
Filing Date: **09/25/2006**  
Title: **VACUUM INSULATED BUILDING PANEL**  
Group Art Unit: **3633**  
Examiner: **Darner, Christopher J.**  
Agent Docket No.: **216.001**

---

**RESPONSE TO NON-FINAL ACTION MAILED SEPTEMBER 30, 2008**

---

December 17, 2008

**FILED VIA EFS-Web**

TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

A. **INTRODUCTORY COMMENTS**

1. **Amendments to the Application**

Applicant respectfully requests entry of amendments as referenced below, plus consideration of the accompanying remarks, as follows:

- (a) Amendments to the claims in accordance with the listing of claims which begins on page 3 of this paper; and
- (b) Remarks beginning on page 6 of this paper.